REMARKS/ARGUMENTS

The final office action (hereinafter "Action") of October 31, 2005, has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of the instant application are respectfully requested. Claims 1-7 and 16-33 remain pending in this application. Applicants have not amended the claims. The Listing of Claims beginning on page 2 of this paper is merely for the convenience of the Examiner.

. Claims 1-7, 16-33 stand rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 5,652,837 to Warchol et al. ("Warchol") in view of U.S. Patent No. 5,537,099 to Liang ("Liang"). Applicants respectfully traverse this rejection.

In order to reject a claim as obvious under § 103(a), three criteria must exist: 1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the reference teachings; 2) there must be a reasonable expectation of success; and 3) the prior art reference(s) must teach or suggest all the claim limitations. *See* MPEP § 706.02 (j); *In re Vaeck*, 947 F.2d 488 (Fed. Cir. 1991).

Even assuming, without admitting, that the combination of Warchol and Liang is proper, the combination fails to teach or suggest every feature of Applicants' claim 1. Applicants' claim 1 recites, among other features, "determining whether the management command was received via a management port coupled to the communication bus; and when the management command was received via the management port, executing the management command." The Action maintains the same rejection as in the non-final Office Action (hereinafter "*non-final Action*") mailed May 18, 2005. The *non-final Action* admits that, "Warchol does not explicitly disclose determining whether the management command was received via a management port coupled to the communication bus." (*non-final Action*, page 2). To overcome this deficiency, the *non-final Action* relies on Liang. Liang fails to cure the deficiencies of Warchol.

The *non-final Action* relies on Liang for support that, "determining if data (i.e. message, command, etc.) is received via a management port coupled to the bus" is well known in the art. Specifically, the *non-final Action* states, "Liang discloses that if a DTE (Data Terminal Element) address matches those associated with a port from which it was receive[d], the message packet is authorized....it would have been obvious to a person having ordinary skill in the art to modify

the system disclosed by Warchol to include the port-comparing step taught by Liang in order to provide a level of security on the network to prevent intrusive access." (*non-final Action*, page 3).

Applicants' claim 1 does not attempt to determine the source of the management command to determine if the command can be executed. Rather than relying on the source identification to determine if a command can be executed, claim 1 determines whether the management command was *received via a management port* coupled to the communication bus and when the management command *was received via the management port*, executing the management command. Warchol only considers the source of command in determining whether to execute the command and makes no determination as to whether a command can be executed based on whether the receiving port is a management port.

The Liang system verifies an authorized message by a source address of the message packet. In particular, the Liang system extracts a source address from a message packet and compares the message packet to one or more addresses stored in a port mask. (See Liang, col. 8, lines 37-48). Liang further describes a port mask as "a unique set of DTE addresses." (Col. 4, lines 50-51). As such, Liang only considers the source of a command in determining whether to execute the command and makes no determination as to whether a command can be executed based on whether the receiving port is a management port. "The source address is then compared to one or more addresses contained in the port mask, step 607. It is then determined if [] there is a match, step 608." (Liang, col. 8, lines 40-42).

Under the Response to Arguments section in the Action, the Action states, "Liang states that if the DTE address (the unique identifier for the device) matches those associated with the port from which it was received, the message packet is authorized. Thus the packet has been received via (or "by way of") the matching port." (Action, page 4). Under the Liang system, any device sending any communication to any port that has an address associated with that device can communicate messages on the network. (Liang, Abstract). However, as recited in Applicants' claim 1 and described within Applicants' written description, Liang fails to teach or suggest, "determining whether the management command was received via a management port coupled to the communication bus; and when the management command was received via the management port, executing the management command."

Specifically, the paragraph beginning at page 7, line 21 of Applicants' original written description is provided below.

> A particular feature of the present invention is the use of a management port. As used herein, a management port is a predetermined port supported by a node for the benefit of the node's local host, which port is deemed the only port authorized to receive management commands from devices coupled to the communication bus. A management command is any type of message, request or command received from any device coupled to the communication bus relating to remote management, including attempts to read data from or write data to internal components of the computer being controlled. (Original written description, page 7, lines 21-27).

As described in the above paragraph, a management port is deemed the <u>only port</u> authorized to receive management commands from devices coupled to the communications bus. Under the <u>Liang</u> system, any device may send any message to any port in the network if the port has an address associated with that device.

Therefore, because the combination of <u>Warchol</u> and <u>Liang</u> at least fails to teach or suggest Applicants' claim 1 features of, "determining whether the management command was received via a management port coupled to the communication bus; and when the management command was received via the management port, executing the management command," Applicants respectfully request withdrawal of the present rejection.

Claims 2-7, which ultimately depend from claim 1, are allowable for the same reasons as claim 1 and further in view of the advantageous features recited therein.

Independent claim 16 is directed to a computer including a processor; an IEEE 1394 interface, coupled to the processor, comprising at least one port wherein the IEEE 1394 interface passes management commands received from a management port of the at least one port to the processor and ignores any management command received via any port of the at least one port other than the management port; and memory, coupled to the processor, having stored thereon computer executable instructions that, when executed by the processor, cause the computer to execute at least one management command received via the management port.

As discussed with respect to claim 1, the combination of <u>Warchol</u> and <u>Liang</u> makes no determination as to whether a command can be executed based on whether the receiving port is a management port. As such, <u>Warchol</u> and <u>Liang</u> do not teach or suggest a computer having at

least one port wherein the IEEE 1394 interface *passes management commands received from a management port* of the at least one port to the processor and *ignores any management command received via any port of the at least one port other than the management port* and a processor causing the computer to execute at least one management command *received via the management port.* For at least these reasons, claims 16 and dependent claims 17-20 are patentably distinguishable from <u>Warchol</u> and <u>Liang</u>.

Independent claim 21 is directed to a computer-readable medium comprising computer-executable components and calls for, among other features, "a management command authorization component, in communication with the bus interface component, that determines whether each of the one or more management commands is authorized based on whether each of the one or more management commands was received via a management port coupled to the communication bus." As discussed above with respected to Applicants' claim 1, <u>Warchol</u> and <u>Liang</u> make no determination as to whether a command can be executed based on whether the receiving port is a management port. Thus, claim 21 is patentably distinct from <u>Warchol</u> and <u>Liang</u> for at least this reason. Claims 22-29, which ultimately depend from claim 21, are patentably distinguishable from <u>Warchol</u> and <u>Liang</u> for the same reasons as claim 21 and further in view of the additional advantageous features recited therein.

Independent claim 30 recites, among other features, "determining whether the management command was received via the management port coupled to the communication bus; and when the management command was received via the management port,…executing the management command." These recited features are similar to the recited features of claim 1 described above and are thus allowable over the combination of <u>Warchol</u> and <u>Liang</u> for at least similar reasons.

In addition, Applicants' independent claim 30 recites, among other features, "authorizing the execution of the management command irrespective of an identifier of the first device." The Action fails to cite any portion of <u>Warchol</u> or <u>Liang</u> and merely states that "it can be seen that this is an obvious variation over the combination of Warchol and Liang." (Action, page 3). Specifically, the Action states that "[s]ince the combination of Warchol and Liang uses a single unique identifier, it would be a clear extension of the combination to carry out the same procedures irrespective of any other identifier of the first device." However, Applicants' claim

30 recites "irrespective of an identifier of the first device," not irrespective of any other identifier of the first device as the Action states.

The Warchol system relies on the "unique identifier provided for each device." "The command requests are received and the identity of the device which issued the command request is determined. The command is then executed only if the unique identifier associated with the requesting device indicates that the device is authorized to cause the execution of the requested command." (Warchol, Abstract). Similarly, the Liang system relies on a set of unique addresses for the Data Terminal Equipment of Data Terminal Element (DTE) that is associated with a port. If a DTE message matches the unique address of the DTE in the message to one of the unique set of addresses for the DTE at the port, the message is authorized. (Liang, Abstract). Both of the Warchol and Liang systems rely on identification of a device coupled to the communication bus for authorization purposes. The combination relies on knowing the particular device that is coupled to its bus. The Action attempts to change the entire purpose of Warchol and Liang to state that, "it would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify the combination of Warchol and Liang by adding the ability to authorize the execution of the management command irrespective of an identifier of the first device." (Action, page 3). As described above, Applicants contend that the combination of Warchol and Liang fails to teach or suggest, "authorizing the execution of the management command irrespective of an identifier of the first device," as recited in Applicants' claim 30.

For at least these reasons and similar reasons as described above with reference to claim 1, the combination of Warchol and Liang fails to teach or suggest each and every feature of Applicants' claim 30. Withdrawal of the rejection is respectfully requested. Claims 31-33, which depend from claim 30, are allowable over the combination for at least the same reason as their ultimate base claim and further in view of the novel features recited therein.
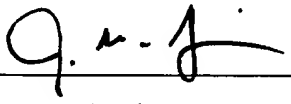
CONCLUSION

It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly. All rejections having been addressed, Applicants respectfully submit that the instant application is in condition for allowance, and respectfully solicit prompt notification of the same.

Respectfully submitted,
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Dated: <u>December 7, 2005</u>   By: _____

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